

### **REMARKS/ARGUMENTS**

The office action of August 21, 2009 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 1-10 and 59-61 remain in this application. Claims 1-6, 9, 10 and 59 have been amended. Claims 11-58 and 62-66 were previously canceled without prejudice or disclaimer. No new claims or matter have been added.

#### **Telephone Interview**

Preliminarily, applicant wishes to thank the Examiner for the courtesies extended to applicant's representatives during the telephone interview on November 5, 2009. The following remarks include applicant's substance of interview pursuant to MPEP § 713.04.

#### **Rejections under 35 U.S.C. § 103**

Claims 1-2, 4, 6-7 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,925,595 B1 to Whitledge et al. ("Whitledge") in view of U.S. Patent No. 6,675,350 B1 to Abrams et al. ("Abrams") and Spyglass Prism, "Concepts and Applications," ("Spyglass Prism"). Applicant respectfully traverses these rejections.

Independent claim 1 recites, among other features, after creating the capture templates, acquiring original content and selectively extracting parts of interest from the original content from the disparate content sources on multiple platforms in the network using the created capture templates, wherein the created capture templates control the acquisition and extraction process.

Whitledge generally describes a method of content conversion in which hypertext electronic documents, such as Web pages, are converted to a format that is suitable for display on a particular user device, according to conversion preferences set by the user. The conversion process involves a content converter receiving a hypertext electronic document from a proxy server, creating a document object model (DOM) from the received document by using a Hyper Text Markup Language (HTML) conversion operation, using the DOM to extract selected elements from the document using data mining operations, converting the extracted elements based on user conversion preferences, and then creating a new document using the converted

form of the extracted elements. See Whitledge FIGS. 1 and 9. As discussed and agreed during the interview, Whitledge does not teach or suggest the amended claim 1 features of, after creating capture templates, acquiring original content using the created capture templates, wherein the created capture templates control the acquisition and extraction process.

Spyglass Prism and Abrams relied on in rejecting independent claim 1 fail to remedy this deficiency of Whitledge with respect to claim 1. Even assuming, without conceding, that Spyglass Prism and Abrams could have been properly combined with Whitledge, the combination would not have resulted in the claim 1 combination of features. Claims 2 and 4, which ultimately depend from claim 1, are patentably distinguishable from the applied for at least the same reasons as claim 1 and further in view of the features recited therein.

Amended independent claim 6 recites features similar to the amended claim 1 features of, after creating capture templates, acquiring original content using the created capture templates, and is thus distinguishable over the combination of Whitledge, Abrams and Spyglass Prism for substantially the same reasons as claim 1. Also, claims 7 and 9, which ultimately depend from claim 6, are patentably distinguishable from the applied for at least the same reasons as claim 6 and further in view of the features recited therein.

Claims 3 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Whitledge in view of Abrams and Spyglass Prism, as applied to claims 1 and 6 above, and further in view of U.S. Patent No. 6,826,597 B1 to Lonnroth et al. ("Lonnroth"). Applicant respectfully traverses these rejections.

Claim 3 depends from claim 1, and claim 8 depends from claim 6. Lonnroth does not cure the deficiencies of the Whitledge, Spyglass Prism and Abrams with respect to claims 1 and 6. Even assuming, without conceding, that Lonnroth could have been properly combined with Whitledge, Spyglass Prism and Abrams, the combination would not have resulted in the claim 3 or claim 8 combination of features. As such, claims 3 and 8 are also distinguishable over the asserted combination of Whitledge, Abrams and Spyglass Prism and Lonnroth.

Claims 5 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Whitledge in view of Abrams and Spyglass Prism, as applied to claims 1 and 6 above, and

further in view of Arens, “Intelligent Cashing: Selecting, Representing, and Reusing Data in an Information Server” (“Arens”). Applicant respectfully traverses these rejections.

Claim 5 depends from claim 1, and claim 10 depends from claim 6. Thus, claims 5 and 10 are distinguishable over the combination of Whitledge, Abrams and Spyglass Prism for substantially the same reasons as their respective base claims, and in further view of the advantageous features recited therein. Arens does not cure the deficiencies of the Whitledge, Spyglass Prism and Abrams with respect to claims 1 and 6. Even assuming, without conceding, that Arens could have been properly combined with Whitledge, Spyglass Prism and Abrams, the combination would not have resulted in the claim 5 or claim 10 combination of features. As such, claims 5 and 10 are also distinguishable over the asserted combination of Whitledge, Abrams and Spyglass Prism and Arens.

Claims 59-61 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Whitledge in view of Abrams. Applicant respectfully traverses these rejections as well.

Amended independent claim 59 recites, among other features, harvesting content from disparate content sources on multiple platforms in a network based on previously created original content acquisition and selective extraction rules by accessing content and media assets based on the previously created original content acquisition and selective extraction rules, which are stored in a repository. As ostensibly or implicitly discussed during the interview, Whitledge does not teach or suggest harvesting content from disparate content sources on multiple platforms in a network *based on previously created original content acquisition and selective extraction rules*. Abrams does not remedy this defect of Whitledge. Thus claim 59 is distinguishable over the combination, even if proper, of Whitledge and Abrams. Additionally, claims 60 and 61, which depend from claim 59, are distinguishable over the combination of Whitledge and Abrams for substantially the same reasons as independent claim 59, and in further view of the advantageous features recited therein.

**CONCLUSION**

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,  
BANNER & WITCOFF, LTD.

Dated: November 23, 2009

By: /Gary D. Fedorochko/  
Gary D. Fedorochko  
Registration No. 35,509

1100 13<sup>th</sup> Street, N.W., Suite 1200  
Washington, D.C. 20005-4051  
Tel: (202) 824-3000  
Fax: (202) 824-3001

GDF:lab